

REMARKS

By way of summary, Claims 1 – 6 and 9 – 76 were pending in this application prior to the entry of this paper. Claims 42 – 54 were allowed. Claims 6, 17, 18, 24, 26, 31 – 41, and 55 – 74 were previously withdrawn in response to a Restriction Requirement. Claims 2, 10 – 12, 20 – 26, 28 – 30, 42 – 49, 51 – 54 and 75 are amended as presented above. Claims 1, 9, 19, 27 and 50 are cancelled without any prejudice or disclaimer. Applicants expressly reserve the right to pursue the subject matter of the canceled and/or amended claims in the future. New Claims 77 – 82 are added as presented above. Accordingly, Claims 2 – 6, 10 – 18, 20 – 26, 28 – 49, and 51 – 82 are pending.

Allowable Subject Matter

Applicants thank the Examiner for allowing Claims 42 – 54 and for indicating the presence of allowable subject matter in Claims 2 – 5, 10, 22, 25 and 29. Applicants have cancelled Claim 50 without any prejudice or disclaimer and amended the preamble of Claims 42 – 49 and 51 – 54 to recite “A pulsed fiber laser amplification system.” Claims 45 and 46 are also amended to depend from Claim 44. Applicants have, in addition, rewritten Claims 2 – 5, 10, 22, 25 and 29 in independent form including all the limitations of the base claim and any intervening claims and request the Examiner to withdraw objections to Claims 2 – 5, 10, 22, 25 and 29 and allow them to issue.

Rejections Under 35 U.S.C. § 102 and § 103

The Office Action rejects Claims 1, 9, 11, 19, 27, 28, 30, 75 and 76 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,885,683 to Fermann et al. The Office Action also rejects Claims 14 – 16, 20 – 21 and 23 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,885,683 to Fermann et al.

In order to expedite prosecution, Applicants have canceled Claims 1, 9, 19 and 27 without any prejudice or disclaimers. Thus, the rejection of Claims 1, 9, 19 and 27 is moot.

Claim 11 as amended depends from the amended Claim 10 and includes at least all the features of Claim 10 as amended. Claim 10 which is rewritten in independent form is indicated as being allowable. Accordingly, Claim 11 is also allowable. Applicants respectfully request the Examiner to withdraw rejections to Claim 11 and allow it to issue.

The Office Action does not provide specific reasons for the rejection of Claims 12 and 14. Nevertheless, in order to expedite prosecution, Applicants have amended Claim 12 to include the limitation that the "optical pulses are attenuated by between about 1 to 20 dB," as recited by the Claim 10 prior to the amendments made herein. The Office Action indicates that the subject matter of Claim 10 prior to the amendments made herein is allowable. Accordingly, Applicants submit that Claim 12 as amended is also allowable over the cited reference.

Claims 13 – 16 depend from the amended Claim 12 and include at least all the features recited by Claim 12 as amended. As discussed above, the amended Claim 12 is allowable. Accordingly, Claims 13 – 16 are also allowable. Applicants request the Examiner to allow Claims 13 – 16 to issue.

Claims 20, 21 and 23 as amended depend from the amended Claim 22 and includes at least all the features of Claim 22 as amended. Claim 22 which is rewritten in independent form is indicated as being allowable. Accordingly, Claims 20, 21 and 23 are also allowable. Applicants respectfully request the Examiner to withdraw rejections to Claims 20, 21 and 23 and allow them to issue.

Claims 28 and 30 as amended depend from the amended Claim 29 and includes at least all the features of Claim 29 as amended. Claim 29 which is rewritten in independent form is indicated as being allowable. Accordingly, Claims 28 and 30 are also allowable. Applicants respectfully request the Examiner to withdraw rejections to Claims 28 and 30 and allow them to issue.

Claim 75 as amended depends from Claim 2 while Claim 76 depends from Claim 75. Thus, Claims 75 and 76 include at least all the features of Claim 2 as amended. Claim 2 which is rewritten in independent form is indicated as being allowable. Accordingly, Claims 75 and 76 are also allowable. Applicants respectfully request the Examiner to withdraw rejections to Claims 75 and 76 and allow them to issue.

No Disclaimers or Disavowals

Although the present and past communications may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this

Application No.: 10/814,319
Filing Date: March 31, 2004

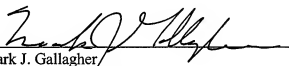
application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 10/19/09

By: 
Mark J. Gallagher
Registration No. 43,622
Attorney of Record
Customer No. 20,995
(949) 760-0404

7808409
091509